State Forester Forum

IDAHO FOREST PRACTICES ACT



he Forest Practices Act (FPA) was passed by the 1974 Idaho Legislature to assure the continuous growing and harvesting of forest trees and to maintain forest soil, air, water, vegetation, wildlife, and aquatic habitat. The Act requires forest practices rules for forest lands to protect, maintain, and enhance our natural resources.

When a careless or destructive operation is found in violation of the rules and corrective measures are not taken in a reasonable time, the Idaho Department of Lands (IDL) will take enforcement action against the responsible operator. Forest Practice Advisors, located statewide, can also provide technical assistance prior to any timber harvest for forest owners and operators who wish to learn more or seek advise about forest practices.

Fire Practice Rules

The Act provides for an advisory board of forest landowners, operators, informed citizens, environmental and fisheries experts to recommend rules to the State Board of Land Commission.

This paper provides highlights about the Act and the Rules. For more specific details and copies of the rules, contact the nearest IDL office. The vast majority of forest operators in Idaho are familiar with the Act and conduct forest practices that exceed the minimum requirement of Idaho law.

Notification of Forest Practice

Since 1975, operators have notified IDL of forest practices by securing a Slash Compliance or "brush number" and Forest Practice Notice.

Five categories of forest practice require notification:

- 1) Timber harvesting and related road construction
- Road construction and reconstruction away from the harvesting area but associated with harvesting
- 3) Reforestation
- 4) Use of pesticides, fertilizers, and petroleum products for forest management purposes
- Management of slash resulting from harvest, management or improvement of forest tree species, or the use of prescribed fire.

The conversion of commercially harvested forest land to another land use, such as a subdivision, requires a notification if timber is removed and sold as a commercial product.

Notification is made at a local IDL office by filling out a Certificate of Slash Compliance/Notification of Forest Practice. No plan or permit is required. The forest practice may begin when IDL accepts the notification. Special practices may be required in some watersheds. Copies of the notification are sent to the landowner, timber owner and operator.

The notification and slash compliance is valid for a maximum of two years. Upon expiration, it must be renewed before the practice can continue. Extensions and other changes in the notification must be made within 30 days by the person who filed the original notification.

Notification of emergency forest practices due to fire, flood, windthrow or earthquake may be made up to 48 hours after such practices are started.

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Exemptions

No notification is required for the following forest practices:

- Routine road maintenance, recreational uses, grazing by domestic livestock, cone picking, culture, and harvest of Christmas trees, or harvesting other minor forest products.
- 2) Noncommercial cutting and removal of trees for personal use, such as firewood.

Non-Resident Operators

Non-resident operators not owning property in Idaho must provide a performance bond to IDL before starting a forest practice. The bond is \$200 per acre involved with a minimum of \$5,000 and a maximum of \$15,000 and may be in the form of cash, surety bond or certificate of deposit.

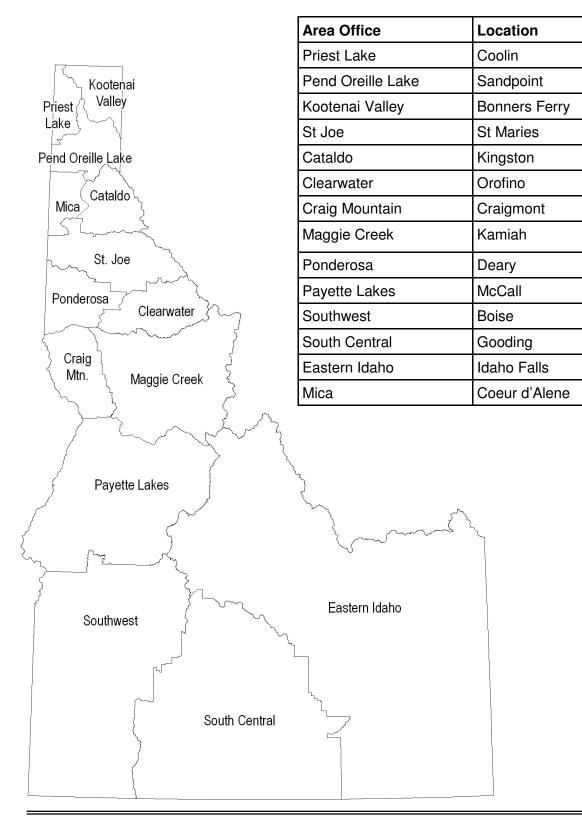
Penalties

Violation of the rules is a misdemeanor. IDL can make repairs if an operator does not correct a violation which causes resource damage and take civil action to recover repair and legal costs. IDL will not accept notification from operators who do not complete required repairs. Habitual or repeat violators may be required to provide an operator's bond.





FOR MORE INFORMATION CONTACT ANY IDAHO DEPARTMENT OF LANDS PRIVATE FORESTRY SPECIALIST



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